

REMARKS

This Application has been carefully reviewed in light of the Office Action mailed May 23, 2005. Applicants appreciate the Examiner's consideration of the Application. At the time of the Office Action of May 23, 2005, Claims 1-44 were pending in the Application and stand rejected. Independent Claims 1, 6, 11, 16, 18, 20, 22, 24, 26, 28, 33, 38, 43, and 44 and dependent Claims 23, 25, 27, 29, and 32 have been amended to clarify, more particularly point out, and more distinctly claim inventive concepts previously present in these claims. Certain amendments do not narrow the scope of the claims, and certain amendments are not required for patentability. Applicants respectfully submit that no new matter has been added by the amendments to the claims. In order to advance prosecution of this Application, Applicants have responded to each notation by the Examiner. Applicants respectfully request reconsideration and favorable action in this case.

Section 102(e) Rejections

The Examiner rejects Claims 1-4, 6-9, 11-14, 16-22, 24, 26, 28-31, 33-36, 38-41, and 43 under 35 U.S.C. § 102(e) as being unpatentable over U.S. Patent No. 6,608,832 to Forsslöw ("Forsslöw"). Applicants respectfully traverse this rejection for the reasons discussed below.

Applicants respectfully submit that *Forsslöw* fails to disclose, or even teach or suggest, the combination of elements specifically recited in Applicants' claims. For example, independent Claim 1, as amended, recites "directing an enabler mobile to facilitate delivery of the multicast content to the user device using the bearer path, the enabler mobile located in the cell."

The Examiner relies on lines 45-50 of column 16 of *Forsslöw* to teach "an enabler portion of a MS (i.e. Msid) used to establish an identity of the mobile." Office Action, page 2, paragraph 5. This passage of *Forsslöw*, however, fails to disclose, teach, or suggest "directing an enabler mobile to facilitate delivery of the multicast content to the user device using the bearer path, the enabler mobile located in the cell," of amended Claim 1. Instead, *Forsslöw* discloses a system that uses a mobile station's unique identifier (MSid) to "identify and authenticate the mobile station." See *Forsslöw*, column 18, lines 55-63. *Forsslöw* discloses an authentication procedure which compares requested MSid values to stored values in order to validate the identity of the mobile station. *Id.* at column 19, lines 31-35. *Forsslöw* merely

discloses an identifier or “authentication parameter” to authenticate the mobile station. *Id.* at column 20, lines 25-27. *Forslöt* does not, however, disclose, or even teach, or suggest using an enabler mobile to facilitate delivery of the multicast content to the user device.

Applicants’ independent Claims 6, 11, 16, 18, 20, 22, 24, 26, 28, 33, 38, and 43 recite certain limitations substantially similar to “directing an enabler mobile to facilitate delivery of the multicast content to the user device using the bearer path, the enabler mobile located in the cell.” Accordingly, for at least similar reasons, Claims 11, 16, 18, 20, 22, 24, 26, 28, 33, 38, and 43 are allowable.

Applicants’ dependent Claims 2-4, 7-9, 12-14, 17, 19, 21, 29-31, 34-36, and 39-41 are allowable based on their dependence on independent Claims 1, 6, 11, 16, 18, 20, 28, 33, and 38 and further because they recite numerous additional patentable distinctions over the reference of the rejection. Because Applicants believe they have amply demonstrated the allowability of independent Claims 1, 6, 11, 16, 18, 20, 22, 24, 26, 28, 33, 38, and 43 over *Forslöt*, and to avoid burdening the record, Applicants have not provided additional detailed remarks concerning these dependent claims. Applicants, however, remain ready to provide such remarks if it becomes appropriate to do so.

Accordingly, Applicants respectfully request reconsideration and allowance of Claims 1-4, 6-9, 11-14, 16-22, 24, 26, 28-31, 33-36, 38-41, and 43.

Section 103(a) Rejections

The Examiner rejects Claims 5, 10, 15, 23, 25, 27, 32, 37, 42, and 44 under 35 U.S.C. § 103(a) as being unpatentable over *Forslöt* in light of U.S. Patent No. 5,590,133 to Billström et al. (“*Billström*”). Applicants respectfully traverse these rejections for the reasons discussed below.

As discussed above, *Forslöt* fails to disclose, teach or suggest the “directing an enabler mobile to facilitate delivery of the multicast content to the user device using the bearer path, the enabler mobile located in the cell” element of independent Claim 1, as amended. For at least similar reasons, *Forslöt* fails to disclose, teach, or suggest the combination of elements specifically recited in Claims 5, 10, 15, 23, 25, 27, 32, 37, 42, and 44, whether *Forslöt* is considered alone or in combination with *Billström*.

Accordingly, Applicants respectfully request reconsideration and allowance of independent Claim 44 and dependent Claims 5, 10, 15, 23, 25, 27, 32, 37, and 42.

CONCLUSION

Applicants have made an earnest attempt to place this case in condition for allowance. For at least the foregoing reasons, Applicants respectfully request full allowance of all the pending claims.

If the Examiner believes a telephone conference would advance prosecution of this case in any way, the Examiner is invited to contact Keiko Ichiye, the Attorney for Applicants, at the Examiner's convenience at (214) 953-6494.

Although Applicants believe no fees are due, the Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

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